

MINUTES OF THE REGULAR CITY COUNCIL MEETING  
CITY OF COLLEGE STATION  
JANUARY 24, 2013

STATE OF TEXAS           §  
                                     §  
COUNTY OF BRAZOS       §

**Present:**

Nancy Berry

**Council:**

Blanche Brick  
Jess Fields  
Karl Mooney  
John Nichols  
Julie Schultz  
James Benham

**City Staff:**

Frank Simpson, Interim City Manager  
Kathy Merrill, Deputy City Manager  
Carla Robinson, City Attorney  
Sherry Mashburn, City Secretary  
Tanya McNutt, Deputy City Secretary

**Call to Order and Announce a Quorum is Present**

With a quorum present, the Regular Meeting of the College Station City Council was called to order by Mayor Nancy Berry at 7:16 p.m. on Thursday, January 24, 2013 in the Council Chambers of the City of College Station City Hall, 1101 Texas Avenue, College Station, Texas 77842.

**1. Pledge of Allegiance, Invocation, consider absence request.**

**Proclamation for recognition of Johnny Manziel and TAMU Football Team.**

Mayor Berry presented two proclamations recognizing Johnny Manziel for receiving the Heisman award and recognizing the 2012 TAMU Football Team for their outstanding season. Present to receive the proclamations were Michelle and Mary Manziel, Johnny's mother and sister, and Gary Reynolds, Director of Football Operations and Research and Development.

**Citizen Comments**



Judith Beckmann, 9301 Amberwood Court, reported that eight months ago she submitted a request to have a sidewalk repaired or extended for safety reasons. To this day she has no idea what has been decided. As a result, she is having a problem with her HOA. She also spoke on an issue she has with utilities. She has sinkholes on her property, and the electric box in the neighbor's yard has sunk into the ground. She stated the City has damaged her property and her health.

## **CONSENT AGENDA**

### **2a. Presentation, possible action, and discussion of minutes for:**

- **January 10, 2013 Workshop**
- **January 10, 2013 Regular Council Meeting**

**2b. Presentation, possible action and discussion on a contract with the low bidder, Aquatec, in the amount of \$110,630, for the re-plastering of Adamson Lagoon and the repair of the filters.**

**2c. Presentation, possible action, and discussion on the second and final reading of Ordinance 2013-3472, a franchise agreement with Viridiun; for the collection of organic waste from commercial business locations.**

**2d. Presentation, possible action, and discussion on the first reading of a franchise agreement with Budget Roll-off Services; for the collection of construction and demolition debris from residential locations.**

**2e. Presentation, possible action, and discussion on the first reading of a franchise agreement with Brannon Industrial Group d/b/a Premier Metal Buyers; for the collection of recyclables from commercial businesses and multi-family locations.**

**2f. Presentation, possible action and discussion on Resolution 01-24-13-2f, regarding a professional services contract with Halff Associates, Inc. in the amount of \$482,935 for the detailed design of the Lick Creek Greenway Trail project, and approval of a resolution declaring intention to reimburse certain expenditures with proceeds from debt.**

**2g. Presentation, possible action, and discussion regarding approval of a contract between the City of College Station and Ross Joseph Taylor in the amount of \$104,900 for the sale of 1208 Phoenix.**

**2h. Presentation, possible action and discussion on a bid award for the purchase of various pad-mounted distribution transformers maintained in inventory to HD Supply Utilities for \$80,843.00.**

**2i. Presentation, possible action, and discussion regarding Resolution 01-24-13-2i, consenting to the City of Bryan's use of economic development incentives for Woodbolt International.**

**2j. Presentation, possible action, and discussion for Ordinance 2013-3473, approving a City Participation Agreement for water line improvements in the Castlegate II, Section 100**



**Subdivision being made per City Code of Ordinances, Chapter 12, Unified Development Ordinance, Section 8.5, Responsibility for Payment for Installation Costs for a total requested City participation of \$26,810.00.**

**2k. Presentation, possible action and discussion regarding the approval of Resolution 01-24-13-2k, accepting from the Texas Division of Emergency Management (TDEM) the 2010 Homeland Security Grant Program Grant Adjustment Notice (GAN) of \$55,281.53.**

Item 2f was pulled for discussion. Items 2f and 2g were pulled for a separate vote.

**MOTION:** Upon a motion made by Councilmember Schultz and a second by Councilmember Fields, the City Council voted seven (7) for and none (0) opposed, to approve the Consent Agenda, less items 2f and 2g. The motion carried unanimously.

**2f:** Chuck Gilman, Director of Capital Projects, clarified that alternatives for the trail materials to be used was not included in this phase. They decided to go with concrete due to the O&M costs. Additional discussion centered on whether or not the funds for this project could be used, or should be used, for prioritized sidewalk projects.

**(2f)MOTION:** Upon a motion made by Councilmember Benham and a second by Councilmember Fields, the City Council voted two (2) for and five (5) opposed, with Mayor Berry and Councilmembers Brick, Mooney, Nichols and Schultz voting against, to table this item until the next Council meeting. The motion failed.

**(2f)MOTION:** Upon a motion made by Councilmember Fields and a second by Councilmember Nichols, the City Council voted six (6) for and one (1) opposed, with Councilmember Benham voting against, to adopt Resolution 01-24-13-2f, regarding a professional services contract with Halff Associates, Inc. in the amount of \$482,935 for the detailed design of the Lick Creek Greenway Trail project, and approval of a resolution declaring intention to reimburse certain expenditures with proceeds from debt. The motion carried.

**(2g)MOTION:** Upon a motion made by Councilmember Nichols and a second by Councilmember Schultz, the City Council voted six (6) for and one (1) opposed, with Councilmember Fields voting against, to approve a contract between the City of College Station and Ross Joseph Taylor in the amount of \$104,900 for the sale of 1208 Phoenix. The motion carried.

## **REGULAR AGENDA**

### **1. Presentation, possible action and discussion regarding a report on the Brazos Valley Bowl.**

Sylvia McMullen, Director of Operations for the Brazos Valley Bowl, and Kindra Fry, Vice President of Sales and Marketing for the CVB, reported on the Inaugural Brazos Valley Bowl held on December 1, 2012 featuring Kilgore, ranked #9, and Northwest Mississippi, ranked #11. There were three days of events, and the Saturday game featured fourteen high school drill teams from around the state of Texas, the Kilgore Band and Rangerettes, and the Northwest Band and Rangerettes. The official attendance was 4,138 - the largest attendance of any NJCAA Bowl.



The estimated economic impact was \$1,344,850. Hotel rooms were sold out city-wide. No action was required from Council.

**2. Presentation, possible action, and discussion regarding the approval of an agreement with the Bryan-College Station Convention and Visitors Bureau to administer the Hotel Occupancy Tax Fund Event Grant Program.**

**MOTION:** Upon a motion made by Councilmember Mooney and a second by Councilmember Nichols, the City Council voted six (6) for and one (1) opposed, with Councilmember Fields voting against, to approve an agreement with the Bryan-College Station Convention and Visitors Bureau to administer the Hotel Occupancy Tax Fund Event Grant Program. The motion carried.

**3. Presentation, possible action, and discussion regarding the approval of HOT Funding for the Texas 4-H Roundup.**

**MOTION:** Upon a motion made by Councilmember Mooney and a second by Councilmember Benham, the City Council voted six (6) for and one (1) opposed, with Councilmember Fields voting against, to approve HOT Funding for the Texas 4-H Roundup. The motion carried.

**4. Presentation, possible action, and discussion on a Capital Improvement Plan update.**

Chuck Gilman, Director of Capital Projects, provided a brief overview and update on the Capital Improvement Plan. No action was required by Council.

**5. Public Hearing, presentation, possible action, and discussion approving Ordinance 2013-3474, vacating and abandoning a 0.07 acre, 15-foot wide public utility easement, which is located on Lot 9R-A of the Sandstone Addition according to the plat recorded in Volume 2685, Page 3164 of the Deed Records of Brazos County, Texas.**

At approximately 9:00 p.m., Mayor Berry opened the Public Hearing.

John Montgomery, 2005 Oakwood Trail, stated he is the requestor. Fifteen years ago his lot was part of the lot next door. When the home was built twelve years ago, the easement was supposedly physically abandoned. He is requesting positive consideration.

There being no further comments, the Public Hearing was closed at 9:02 p.m.

**MOTION:** Upon a motion made by Councilmember Fields and a second by Councilmember Benham, the City Council voted seven (7) for and none (0) opposed, to adopt Ordinance 2013-3474, vacating and abandoning a 0.07 acre, 15-foot wide public utility easement, which is located on Lot 9R-A of the Sandstone Addition according to the plat recorded in Volume 2685, Page 3164 of the Deed Records of Brazos County, Texas. The motion carried unanimously.

**6. Public Hearing, presentation, possible action, and discussion approving Ordinance 2013-3475, vacating and abandoning a 0.03 acre right-of-way, which is located on Lots 1, 2, 11 & 12 of Block B of the College Heights Subdivision according to the plat recorded in Volume 7623, Page 231 of the Deed Records of Brazos County, Texas.**



At approximately 9:06 p.m., Mayor Berry opened the Public Hearing.

There being no comments, the Public Hearing was closed at 9:06 p.m.

**MOTION:** Upon a motion made by Councilmember Nichols and a second by Councilmember Benham, the City Council voted seven (7) for and none (0) opposed, to adopt Ordinance 2013-3475, vacating and abandoning a 0.03 acre right-of-way, which is located on Lots 1, 2, 11 & 12 of Block B of the College Heights Subdivision according to the plat recorded in Volume 7623, Page 231 of the Deed Records of Brazos County, Texas. The motion carried unanimously.

**7. Public Hearing, presentation, possible action, and discussion approving Ordinance 2013-3476, vacating and abandoning a 0.02 acre public utility easement, which is located on Lots 1 & 12 of Block B of the College Heights Subdivision according to the plat recorded in Volume 7623, Page 231 of the Deed Records of Brazos County, Texas.**

At approximately 9:11 p.m., Mayor Berry opened the Public Hearing.

There being no comments, the Public Hearing was closed at 9:11 p.m.

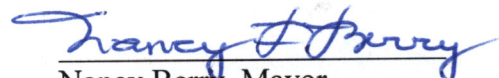
**MOTION:** Upon a motion made by Councilmember Fields and a second by Councilmember Benham, the City Council voted seven (7) for and none (0) opposed, to adopt Ordinance 2013-3476, vacating and abandoning a 0.02 acre public utility easement, which is located on Lots 1 & 12 of Block B of the College Heights Subdivision according to the plat recorded in Volume 7623, Page 231 of the Deed Records of Brazos County, Texas. The motion carried unanimously.

**8. Presentation, possible action, and discussion on an appointment to the Joint Relief Funding Review Committee.**


**MOTION:** Upon a motion made by Councilmember Benham and a second by Councilmember Mooney, the City Council voted seven (7) for and none (0) opposed, to appoint Kay Parker to the Joint Relief Funding Review Committee. The motion carried unanimously.

**9. Adjournment.**

**MOTION:** There being no further business, Mayor Berry adjourned the Regular Meeting of the City Council at 9:14 p.m. on Thursday, January 24, 2013.

  
Nancy Berry, Mayor

ATTEST:

  
Sherry Mashburn, City Secretary



College Station City Council Workshop Agenda  
Sign In Sheet  
Thursday, January 24, 2013 at 5:00 p.m.  
City Hall Council Chamber

**Mayor**  
Nancy Berry  
**Mayor Pro Tem**  
Karl Mooney  
**Interim City Manager**  
Frank Simpson

**Council Members**  
Blanche Brick  
Jess Fields  
John Nichols  
Julie Schultz  
James Benham

|     | Name                  | Address              | Email or Phone No.   |
|-----|-----------------------|----------------------|----------------------|
| 1.  | STEVE ACORICO         | 707 Hoppersuchen Ln. |                      |
| 2.  | J Beckmann            | 9301 Amberwood Ct    |                      |
| 3.  | Chris Boleman         | 9555 Escudado Ln     | choleman@ag.tamu.edu |
| 4.  | Kyle Merten           | 1208 Norfolk Court   | Kmerten@tamu.edu     |
| 5.  | Ann D. Ruyter         | 503 Dozwood St       |                      |
| 6.  | John Nancy Montgomery | 2005 Oakwood Trail   | 903 952 2030         |
| 7.  |                       |                      |                      |
| 8.  |                       |                      |                      |
| 9.  |                       |                      |                      |
| 10. |                       |                      |                      |
| 11. |                       |                      |                      |
| 12. |                       |                      |                      |
| 13. |                       |                      |                      |
| 14. |                       |                      |                      |
| 15. |                       |                      |                      |

\*\*\*Note this not a Hear Visitors form\*\*\* To speak on a particular item please file out the Citizen Speakers Form next to sign in sheet.





## PUBLIC HEARING SIGN-UP FORM

Regular Meeting Date: \_\_\_\_\_

01 24 13  
MM / DD / YY

**\*\* Please PRINT all information \*\***

Name: Judith Beckmann Phone: \_\_\_\_\_

Address: 9301 Amberwood Ct

Email: \_\_\_\_\_ Comments: ☐ WRITTEN ☒ ORAL

Comments will be presented for PUBLIC HEARING AGENDA ITEM # \_\_\_\_\_

### FOR WRITTEN COMMENTS, PLEASE WRITE BELOW:

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☐ COMMENTS CONTINUED ON ATTACHED DOCUMENT OF \_\_\_\_\_ PAGE(S)

### FOR ORAL COMMENTS:

1. YOU MUST SIGN UP PRIOR TO THE SCHEDULED MEETING  
(At the City Secretary's Office during regular business hours, or from 5:00 p.m. to 6:45 p.m. the day of the meeting.);
2. YOU WILL HAVE ONE OPPORTUNITY TO SPEAK; AND
3. YOU MUST OBSERVE THE 3-MINUTE TIME LIMIT. (Time cannot be transferred to another speaker.)

Inquiries from speakers about matters not listed on the agenda will either be directed to the Staff or placed on a future agenda for Council consideration. **See reverse side for additional rules.**

### MAIL, FAX OR EMAIL COMPLETED FORM TO:

City of College Station  
City Secretary's Office – City Hall  
1101 Texas Avenue, College Station, Texas 77840  
Fax: 979-764-6377  
Email: [smashburn@cstx.gov](mailto:smashburn@cstx.gov)

OFFICE USE ONLY:  
(# in which received)

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## PUBLIC HEARING SIGN-UP FORM

Regular Meeting Date: 1/24/13

MM / DD / YY

**\*\* Please PRINT all information \*\***

Name: JOHN MONTGOMERY Phone: 903 952 1506

Address: 2005 OAKWOOD TRAIL

Email: johnmont310@gmail.com Comments: ☐ WRITTEN ☒ ORAL

Comments will be presented for PUBLIC HEARING AGENDA ITEM # \_\_\_\_\_

### FOR WRITTEN COMMENTS, PLEASE WRITE BELOW:

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